

State Water Resources Control Board

April 08, 2015

CERTIFIED MAIL
NO. 7014 2870 0001 3250 1465

Mr. Lewis Broschard
Assistant Chief
Contra Costa County Fire Protection District
2010 Geary Road
Pleasant Hill, California 94523

**SUBJECT: FAILURE TO COMPLY; UNDERGROUND STORAGE TANK SYSTEMS
LOCATED AT CONTRA COSTA FIRE STATION #07, 1050 WALNUT
AVENUE, WALNUT CREEK**

Dear Mr. Broschard:

As of the date of this letter, the State Water Resources Control Board (State Water Board) has not received a complete response to our January 26, 2015 Notice of Violation (NOV)(attached). You are directed to correct the ongoing violation identified in the NOV and submit compliance documentation to the State Water Board and the Contra Costa County Health Services Department within ten (10) days from the date of this letter.

Please send all compliance documentation to the following:

State Water Board

Ms. Rebecca Green
UST Enforcement Unit
State Water Resources Control Board
1001 I Street, 16th Floor
Sacramento, California 95814
rebecca.green@waterboards.ca.gov

Local CUPA

Ms. Alexandra McMullen
Supervising Administrative Support
Contra Costa County Health Services Department
4585 Pacheco Boulevard, Suite 100
Martinez, California 94553
alexandra.mcmullen@hdsd.cccounty.us

Failure to comply with this notice may result in an enforcement action by the State Water Board. The State Water Board reserves the right to bring an action against the owner and/or operator of the tanks in violation, or it may recommend that the Contra Costa County Health Services Department pursue enforcement, or the Contra Costa County Health Services Department may elect to pursue enforcement independently.

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tanks are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me by telephone at (916) 341-5551, or by email at Amantha.Henkel@waterboards.ca.gov.

Sincerely,



Amantha Henkel
Senior Environmental Scientist
UST Enforcement Unit
Office of Enforcement

Attachment: January 26, 2015 Notice of Violation

cc: *(via email only)*

Ms. Alexandra McMullen
Contra Costa County Health Services Department
alexandra.mcmullen@hsd.cccounty.us



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

January 26, 2015

CERTIFIED MAIL
NO. 7014 1200 0001 4195 0483

Mr. Ron Guelden
Facilities Manager
Contra Costa Fire Protection District
2010 Geary Road
Pleasant Hill, California 94523

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK
SYSTEMS LOCATED AT CONTRA COSTA FIRE STATION #07,
1050 WALNUT AVENUE, WALNUT CREEK**

Dear Mr. Guelden:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on November 24, 2014, pursuant to authority under Health and Safety Code, chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to Health and Safety Code (H&SC), chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	Failure to Maintain Operating Permit On-Site – A copy of the current operating permit was not available at time of inspection.	Diesel	November 24, 2014	Ongoing	23 CCR 2712(i)
2	Failure to Notify Local Agency of Designated Operator – Designated Operator Certification form is not current; the 2012 form has outdated information.	Diesel	January 01, 2013	Ongoing	23 CCR 2715(a)
3	Failure to Perform Secondary Containment Testing – Secondary Containment Testing was due on March 23, 2014; the test was performed on October 14, 2014.	Diesel	March 24, 2014	October 14, 2014	23 CCR 2637(a)

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, Ca 95812-0100 | www.waterboards.ca.gov

No.	Violation	Tank	Start Date	Stop Date	Regulation
4	Failure to Perform Annual Monitoring System Certification – An Annual Monitoring System Certification was due on March 23, 2012; no testing was performed in 2012 and 2013. The next certification was performed on March 27, 2014.	Diesel	March 24, 2012	March 27, 2014	23 CCR 2638(a)
5	Failure to Perform Spill Containment Structures Testing – A spill containment test was due on March 23, 2012; no testing was performed in 2012, 2013, and 2014.	Diesel	March 24, 2012	Ongoing	HSC 25284.2
6	Failure to Perform Annual Monitoring System Certification – An Annual Monitoring System Certification was due November 19, 2010; no test was performed in 2010. The next certification was performed on March 23, 2011.	Diesel	November 19, 2010	March 23, 2011	23 CCR 2638(a)
7	Failure to Perform Spill Containment Structures Testing – A spill containment test was due November 19, 2010; no test was performed in 2010. The next test was performed on March 23, 2011.	Diesel	November 19, 2010	March 23, 2011	HSC 25284.2
8	Failure to Maintain Monitoring or Testing Records On-Site – The following records were not available at the time of inspection: Annual Monitoring Certification for 2010, 2012, and 2013 and Spill Containment tests for 2010, 2012, 2013, and 2014.	Diesel	November 24, 2014	Ongoing	23 CCR 2712(b); H&SC 25293
9	Failure to Affix a Tag/Sticker on Monitoring Equipment Being Certified – The Annual Monitoring Certification tag was not current on the annular sensor and dispenser sensor. The Annual Monitoring Certification tag was not placed in a readily visible location in the piping sump.	Diesel	November 24, 2014	Ongoing	23 CCR 2638(f)
10	Failure to Perform Designated Operator Inspection – The May 2014 monthly inspection report was missing.	Diesel	May 31, 2014	Ongoing	23 CCR 2715(c)
11	Failure to Maintain Spill Containment Requirements – The spill container had liquid in it, which prevents its ability to hold five gallons.	Diesel	November 24, 2014	Ongoing	23 CCR 2635(b)(1)

You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and Contra Costa County Health Services within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violations have been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance.

Please send all compliance documentation to the following:

State Water Board

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Local CUPA

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If you have any questions, please contact me by telephone at (916) 341-5551, or by email at amantha.henkel@waterboards.ca.gov.

Sincerely,



Amantha Henkel
Senior Environmental Scientist
UST Enforcement Unit
Office of Enforcement

cc: (via email only)

Ms. Alexandra McMullen
Contra Costa County Health Services Department
alexandra.mcmullen@hsd.cccounty.us

